

RESOLUTION 2006-03

**AMENDED FINAL RESOLUTION DECLARING  
INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS  
FOR WATER- AND SEWER-RELATED IMPROVEMENTS  
IN THE VILLAGE OF STURTEVANT**

The Village Board of the Village of Sturtevant, Racine County, Wisconsin do  
resolve as follows:

**WHEREAS**, the Village Board of the Village of Sturtevant, Racine County,  
Wisconsin, held a public hearing on September 6, 2005 for the purpose of hearing all  
interested persons concerning the preliminary resolution and report of the Village  
Engineer on the proposed public improvements consisting of water- and sewer-related  
improvements to 90th Street including, but not limited to, water service laterals and  
sanitary sewer mains and service laterals, and appurtenances thereto, for the following  
Assessment District:

**Assessment District**

The Assessment District includes all lands within the Village of Sturtevant  
which are described as follows:

Jess A. Yocco  
3803-90th Street  
Sturtevant, WI 53177  
181-03-22-27-008-004

Albert L. Sr. and Mary Ellen Cole  
3641-90th Street  
Sturtevant, WI 53177  
181-03-22-27-008-003

David H. and Genoveva Garcia  
3735-90th Street  
Sturtevant, WI 53177  
181-03-22-27-009-000

Majestic Hills Inc.  
1020 West Blvd.  
Racine, WI 53405  
181-03-22-27-006-020

Richard P. and Cynthia A. Rosko  
3705-90th Street  
Sturtevant, WI 53177  
181-03-22-27-008-001

Timothy C. and Carrie L. Raasch  
3619-90th Street  
Sturtevant, WI 53177  
181-03-22-27-007-001

Lance J. Meinert  
8836 Braun Road  
Racine, WI 53403  
181-03-22-27-010-001

Richard Sorensen  
9509 Broadway Drive  
Sturtevant, WI 53177  
181-03-22-28-100-115-003

Margaret M. Rendell  
6710 Braun Road  
Racine, WI 53403  
181-03-22-28-002-001

Chicory Creek Subdivision  
Neumann Development, Inc.  
N16 W24132 Prairie Ct. Suite 220  
Waukesha, WI 53188  
181-03-22-27-006-020

**WHEREAS**, the Village Engineer's report was amended and filed on or about December 19, 2005, to, among other things, account for the division of the Yocco property, a water lateral extension to the Rendell property, and extension of the water laterals to the existing Village of Sturtevant right-of-way; and

**WHEREAS**, the Village Board held a public hearing on January 17, 2006, for the purpose of hearing from all interested persons concerning the Village Engineer's amended report; and

**WHEREAS**, the Village Board directed that the assessment as to the corner lot parcel owned by Lance J. Meinert be deferred because the water main is not close enough to his current residence to provide him with a reasonable opportunity to connect to such water main and that the assessment against the agricultural land owned by Margaret Rendell be deferred until such time as the property is divided or a connection is made, all as set forth in more detail hereinafter.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the amended report of the Village Engineer filed December 19, 2005, pertaining to the construction of the above-described improvements, consisting of water- and sewer-related improvements to 90th Street including, but not limited to, water service laterals and sanitary sewer mains and service laterals, and appurtenances thereto,

including plans and specifications therefor and the schedule of assessments, which are on file with the Village Clerk/Deputy Treasurer, be and hereby are adopted and approved.

2. That such work or improvements described in said report be carried out in accordance with the amended report as finally approved herein.

3. That payments for said improvements be made by assessing the cost to the properties benefited, as indicated in the amended report of the Village Engineer, in accordance with Section 8.17 of the Village of Sturtevant Code of Ordinances and/or §66.0703, Wis. Stats.

4. That the assessments shown on the amended report represent an exercise of the police power, are true and correct, have been determined on a reasonable basis, and are hereby confirmed.

5. That the active assessments against any parcel may be combined and may be paid (1) in cash, interest free, on or before April 17, 2006, or (2) in 10 annual installments with interest thereon at the rate of 7% per annum from and after April 17, 2006, until the same is paid in full.

6. That the deferred assessment for the parcel owned by Lance Meinert shall be paid (1) in full at the time of the land division if the parcel is divided into two or more parcels, or (2) in full upon connection to the water main (whether voluntary or as may be required by law), or in ten annual installments thereafter with interest thereon at the rate of 7% per annum until the same is paid. The deferred assessment on the agricultural parcel owned by Margaret Rendell shall be paid as follows: (1) if connection to the water main is made or if the parcel is divided into two or more parcels where any one of the parcels is not used exclusively for agricultural purposes, then the assessment shall be paid

in full at the time of connection or division, whichever occurs first; or (2) if the parcel remains undivided but is not used exclusively for agricultural purposes for more than one year, then the assessment shall be paid in full within 30 days after such one-year period or in ten annual installments thereafter with interest thereon at the rate of 7% per annum until the same is paid. Further, with respect to the water main installed in 2003, Margaret Rendell shall be assessed only for 200 feet of water main, with the costs for the remaining portion of the 2003 water main on the Rendell property deferred as set forth in Resolution 2003-17. Interest shall not accrue during a deferral period.

7. That the Village Clerk is directed to publish this amended resolution and the installment assessment notice as Class 1 notices under Ch. 985, Wis. Stats., in the assessment district as provided by law.

8. That the Village Clerk is further directed to mail a copy of this amended resolution, the installment assessment notice and a statement of the final assessment against the property to every property owner in the Assessment District whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Adopted by the Village Board of the Village of Sturtevant, Racine County,  
Wisconsin, this 17<sup>th</sup> day of January, 2006.

**VILLAGE OF STURTEVANT**

By: \_\_\_\_\_  
Steven Jansen, President

Attest: \_\_\_\_\_  
Donna Deuster, Village Clerk

Published: \_\_\_\_\_

731190.032